

## REMARKS

Reconsideration and allowance of the subject application are respectfully solicited.

Claims 1 through 12 and 35 through 53 are pending, with Claims 1 and 35 through 40 being independent. Claims 1 through 12, 35 through 38, and 40 through 47 were allowed. Claims 38 and 39 have been amended. Claims 48 through 53 have been added.

Claim 39 was rejected under 35 U.S.C. § 103 over U.S. Patent No. 6,094,313 (Yamanishi) in view of Official Notice. All rejections are respectfully traversed.

Claim 39 recites, inter alia, that the fourth lens unit comprises three lenses, in combination with the feature that the fourth lens unit has a diffractive optical surface located on an object side surface of an optical element of the fourth lens unit.

However, Applicant respectfully submits that neither Yamanishi nor Official Notice, even in combination, assuming, arguendo, that such could be combined, discloses or suggests at least the above-discussed combination of claimed features as recited, inter alia, in Claim 39. Furthermore, the Official Notice is respectfully traversed in the absence of a cited reference, which reference Applicant respectfully requests be provided for his review. MPEP 2144.03. It is further respectfully submitted that there has been no showing of any indication of motivation in the cited documents that would lead one having ordinary skill in the art to arrive at such claimed features.

The dependent claims are also submitted to be patentable because they set forth additional aspects of the present invention and are dependent from independent claims discussed

above. Therefore, separate and individual consideration of each dependent claim is respectfully requested.

This Amendment After Final Rejection is an earnest attempt to advance prosecution and reduce the number of issues, and is believed to clearly place this application in condition for allowance. Furthermore, Applicant respectfully submits that a full appreciation of these amendments will not require undue time or effort given the Examiner's familiarity with this application. Moreover, this Amendment was not earlier presented because Applicant earnestly believed that the prior Amendment placed the subject application in condition for allowance. Accordingly, entry of this Amendment under 37 C.F.R. § 1.116 is respectfully requested.

Applicant submits that this application is in condition for allowance, and a Notice of Allowance is respectfully requested.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,



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